



2-26-07

Attorney Docket No. 15569-0007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rechterman et al.

Serial No.: 10/526,107

Group Art Unit: 2151

Filed: February 28, 2005

Examiner: Jean, Frantz B.

Int'l Appl. No.: PCT/US02/27956

Int'l Filing Date: August 30, 2002

Title: **PROXY EMAIL METHOD AND SYSTEM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING BY EXPRESS MAIL
"Express Mail" Mail Label Number EV955647054US**

Sir:

I hereby certify that the following correspondence is being deposited in the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

1. Supplemental Information Disclosure Statement Transmittal Letter (5 pages);
2. Form PTO/SB/08B (2 pages) with copies of 14 references;
3. Check for \$180.00; and
4. A return receipt postcard.

Dated: 2/23/2007

By: Suzanne Shields
Suzanne Shields

GALLAGHER & KENNEDY, P.A.
2575 East Camelback Road
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Tel. No. (602) 530-8000
Fax No. (602) 530-8500



**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Rechterman et al.)
Serial No.: 10/526,107) Group Art Unit: 2151
Filing Date: February 28, 2005) Examiner: Jean, Frantz B.
Int'l Appl. No.: PCT/US02/27956)
Int'l Filing Date: August 30, 2002)

Title: **PROXY EMAIL METHOD AND SYSTEM**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. The examiner is requested to review and to make of record the documents listed on the accompanying form SB/08B, copies of which are enclosed.

The first document listed on the form SB/08B (Cite No. 1), bearing the title "How You Can Tell the Title is a Hoax," is an apparent discussion group exchange among members of a group "alt.fan.starwars" in Google Groups. The individual entries appear to have dates of August 6, 7 and 8, 2001. The URL at which the exchange was discovered on December 4, 2006 is at the bottom of each page.

02/27/2007 RHEBRAHT 00000060 10526107

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The second document on the form SB/08B (Cite No. 2) is a website page of register.com archived at web.archive.org. It bears a copyright notice "© 1995 - 2001 by register.com." Applicants cannot say when this particular page was created. The URL at which the page was located on December 4, 2006 is at the bottom of the enclosed document. That URL suggests an archive date of March 13, 2001.

The third listed document on the form SB/08B (Cite No. 3), "Phillip Morris Uses 'Account Masking,'" is an apparent entry from a website "http://www.prwatch.org. This entry is undated. A URL referenced in the entry suggests a November 2001 date. The URL at which the website entry was located on December 4, 2006 is at the bottom of the page.

The fourth document on the accompanying form SB/08B (Cite No. 4) is a WIPO Arbitration and Mediation Center Administrative Panel Decision in *Marian Keyes v. Old Barn Studios Ltd.*, Case No. D2002-0687, dated September 23, 2002. The URL at which this decision appears is at the bottom of each page of the document.

The document listed as Cite No. 5 on the form SB/08B is the cover page and page 5 of a Form S-1 Registration Statement filed with the Securities and Exchange Commission on March 2, 2000 by Register.com, Inc. Page 5 of the Registration Statement is provided for its mention of "account masking, to allow the domain name registrant to remain anonymous." This was the only mention of this service found in the Statement. If desired, the entire 140 page document will be supplied at the examiner's request addressed to undersigned attorneys for applicants by telephone, email or surface mail.

The Cite No. 6 document on the form SB/08B is a German language document dated November 28, 2001 entitled "Anonyme Domains mogliche" and its English translation. The URL at which the German language document was located on December 4, 2006 is at the bottom of the document.

The document identified as Cite No. 7 on the accompanying form SB/08B is the cover page and pages 5, 8, Form 10-K cover page and Form 10-K page 9 of the 2001 Annual Report of Register.com, Inc. Pages 5, 8 and Form 10-K page 2 are provided for their discussions of the company's Account Masking feature. If desired, the entire 105 page document will be supplied at

the examiner's request addressed to undersigned attorneys for applicants by telephone, email or surface mail.

The Cite No. 8 document on the accompanying form SB/08B is a page resulting from a search in Google Groups for "account masking." The entries on the pages appear to have dates of May 14 and May 30, 2002. The URL at which the exchange was located on December 4, 2006 is at the bottom of the page.

The ninth through fourteenth documents on the form SB/08B (Cite Nos. 9 - 14) are apparently pages from a website of internonymous.com archived by web.archive.org. The URLs at which the documents were located December 4, 2006 are at the bottom of each page. The documents are undated, but the URLs appearing at the bottom of the documents suggest archive dates from August to December of 2001.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of a national application; within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office Action on the merits. 37 C.F.R. §1.97 (b)
- ☒ **after** three months of the filing date of a national application, or the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or **after** the mailing date of a first Office Action on the merits, but **before** the mailing date of a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), and includes (37 C.F.R. § 1.97 (c):
- ☐ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below)

OR

- ☒ the fee of \$180 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), but before, or simultaneously with, the payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" and "Method of Payment of Fees" below). Applicants hereby petitions for consideration of the Information Disclosure Statement submitted herewith and the accompanying references in examination of the subject patent application.

CERTIFICATION

- ☐ The **undersigned** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

FEES

- ☐ **No fee** is owed by the applicant(s).
- ☒ The **IDS Fee of \$180.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The **Petition Fee of \$130.00** set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.

METHOD OF PAYMENT OF FEES

- ☒ Attached is a check in the amount of \$180.00.
- ☒ Charge Deposit Account No. 070135 in the amount of any deficiency. (A duplicate copy of this communication is enclosed for that purpose.)

In accordance with MPEP Sections 609 and 707.05(b), it is requested the references cited be given thorough consideration and that they be cited of record in the prosecution history of the present application by initialing on Form SB/08B. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the

- ☒ the fee of \$180 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), but before, or simultaneously with, the payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" and "Method of Payment of Fees" below). Applicants hereby petitions for consideration of the Information Disclosure Statement submitted herewith and the accompanying references in examination of the subject patent application.

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- ☐ The **undersigned** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

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guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

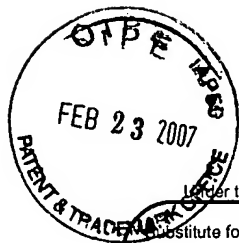
GALLAGHER & KENNEDY, P.A.

A handwritten signature in black ink, appearing to read 'TDMacBlain', written in a cursive style.

Date: February 23, 2007

By: Thomas D. MacBlain
Reg. No. 24,583
Donna H. Catalfio
Reg. No. 55,973
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PTO/SB/08B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/526,107
		Filing Date	February 28, 2005
		First Named Inventor	Rechterman et al.
		Art Unit	2151
		Examiner Name	Jean, Frantz B.
Sheet 1	of 2	Attorney Docket Number	15569-0007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Exchange of "alt.fan.starwars" in Google Groups, "How You Can Tell the Title is a Hoax" (3 pp.)	
	2	Website page of register.com (1 p.)	
	3	Entry in "http://www.prwatch.org" - "Phillip Morris Uses 'Account Masking'" (1 p.)	
	4	WIPO Administrative Panel Decision, Marian Keyes & Old Barn Studios Ltd., case No. D2002-0687 (7 pp.), (September 23, 2002)	
	5	Securities and Exchange Commission Form S-1 of Register.com, Inc., March 2, 2000 (2 pp.)	
	6	"Anonyme Domains moglich," German language document, November 28, 2001 (1 p.)	
	7	Register.com, Inc. 2001 Annual Report including Securities and Exchange Commission Form 10-K (5 pp.)	
	8	"Account masking" search results on Google Groups (1 p.)	
	9	Web pages of interNONYMOUS.com, "See The Difference," (2 pp.)	
	10	Web page of interNONYMOUS.com, "Order Form," (1 p.)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/526,107		
		Filing Date	February 28, 2005		
		First Named Inventor	Rechterman et al.		
		Art Unit	2151		
		Examiner Name	Jean, Frantz B.		
Sheet	2	of	2	Attorney Docket Number	15569-0007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	11	Web pages of interNONYMOUS.com, "Services and Prices," (3 pp.)	
	12	Web pages of interNONYMOUS.com, "Frequently Asked Questions," (3 pp.)	
	13	Web page of interNONYMOUS.com, "MSNBC: The Selling of WHOIS Data," (4 pp.)	
	14	Web page of interNONYMOUS.com (1 pp.)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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